2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Note verbale dated 17 May 2005 from the Permanent Representative of the Grand Duchy of Luxembourg to the United Nations addressed to the Secretary-General of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

The Permanent Representative of the Grand Duchy of Luxembourg to the United Nations presents his compliments to the Secretary-General of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to transmit herewith an extract of Common Position 2005/329/PESC of the Council of the European Union, of 25 April 2005, relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (see annex).*

* Council Common Position 2005/329/PESC of 25 April 2005 has been published in the *Official Journal of the European Union* and is circulated in English.

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Annex to the note verbale dated 17 May 2005 from the Permanent Representative of the Grand Duchy of Luxembourg to the United Nations addressed to the Secretary-General of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

[Original: English]

COUNCIL COMMON POSITION 2005/329/PESC

of 25 April 2005

relating to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

(1) The European Union continues to regard the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the global nuclear non-proliferation regime, the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI of the NPT and an important element in the further development of nuclear energy applications for peaceful purposes.

(2) On 17 November 2003 the Council adopted Common Position 2003/805/CFSP on the universalisation and reinforcement of multilateral agreements in the field of non-proliferation of weapons of mass destruction and means of delivery [1]. On 12 December 2003 the European Council adopted a Strategy against proliferation of Weapons of Mass Destruction.

(3) The United Nations Security Council unanimously adopted Resolution 1540 (2004), describing the proliferation of weapons of mass destruction and their means of delivery as a threat to international peace and security.

(4) The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons with the task of examining the Treaty and the question of its extension adopted decisions on the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons, on principles and objectives for nuclear non proliferation and disarmament and on strengthening the review process for that Treaty and a resolution on the Middle East.

(5) On 13 April 2000 the Council adopted Common Position 2000/297/CFSP relating to the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons [2].

(6) The 2000 NPT Review Conference adopted a final document.

(7) The Preparatory Committee for the 2005 NPT Review Conference held three sessions, from 8 to 19 April 2002 in New York, 28 April to 9 May 2003 in Geneva and 26 April to 7 May 2004 in New York.

(8) On 29 April 1997 the Council adopted Joint Action 97/288/CFSP on the European Union's contribution to the promotion of transparency in nuclear-related export controls [3].

(9) On 17 May 2004 the Council adopted Joint Action 2004/495/CFSP on support for IAEA activities under its Nuclear Security Programme and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction [4].

(10) On 1 June 2004 the Council adopted a statement of support for the Proliferation Security Initiative on Weapons of Mass Destruction.

(11) The Additional Protocol to the Verification Agreement between the Non-Nuclear-Weapon States of the European Atomic Energy Community (EURATOM), EURATOM and the International Atomic Energy Agency (IAEA), the Additional Protocol to the Safeguards Agreement between France, EURATOM and the IAEA, and the Additional Protocol to the Safeguards Agreement between the United Kingdom, EURATOM and the IAEA have been signed and entered into force on 30 April 2004.

(12) In the light of the outcome of the 2000 Review Conference and of the discussions at the three sessions of the Preparatory Committee for the NPT 2005 Review Conference, and bearing in mind the current situation, it is appropriate to update and develop further the objectives set out in Common Position 2000/297/CFSP, and the initiatives carried out under its terms,

[1] OJ L 302, 20.11.2003, p. 34.
[2] OJ L 97, 19.4.2000, p. 1.
[3] OJ L 120, 12.5.1997, p. 1.
[4] OJ L 182, 19.5.2004, p. 46.

HAS ADOPTED THIS COMMON POSITION:

Article 1

The objective of the European Union shall be to strengthen the international nuclear non proliferation regime by promoting the successful outcome of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Article 2

For the purposes of the objective laid down in Article 1, the European Union shall:

(a) contribute to a structured and balanced review of the operation of the NPT at the 2005 Review Conference, including the implementation of undertakings of the States Parties under the said Treaty, as well as the identification of areas in which, and of means through which, further progress should be sought in future;

(b) help build a consensus on the basis of the framework established by the NPT by supporting the Decisions and the Resolution adopted at the 1995 Review and Extension Conference and the final document of the 2000 NPT Review Conference, and shall bear in mind the current situation and shall promote *inter alia* the following essential issues, including:

1. undertaking efforts to preserve the integrity of the NPT and strengthen its implementation;

2. recognising that the NPT is a unique and irreplaceable multilateral instrument for maintaining and reinforcing international peace, security and stability, in that it establishes a legal framework for preventing increased proliferation of nuclear weapons and for developing further a verification system guaranteeing that non-nuclear-weapons States use nuclear energy solely for peaceful purposes, and that it represents the essential foundation for the pursuit of nuclear disarmament in accordance with Article VI thereof;

3. working towards universal accession to the NPT;

4. stressing the absolute necessity of full compliance with all the provisions of the NPT by all States Parties;

5. calling on all States not party to the NPT to pledge commitments to non-proliferation and disarmament and calling on those States to become States Parties to the NPT as non nuclear weapon States.

6. recognising that serious nuclear proliferation events have occurred since the end of the 2000 Review Conference;

7. stressing the need to strengthen the role of the UN Security Council, as final arbiter, in order that it can take appropriate action in the event of non-compliance with NPT obligations, in keeping with the Statute of the International Atomic Energy Agency (IAEA), including the application of safeguards;

8. drawing attention to the potential implications for international peace and security of withdrawal from the NPT. Urging the adoption of measures to discourage withdrawal from the said Treaty;

9. calling for nuclear cooperation to be suspended where the IAEA is not able to provide adequate assurances that a State's nuclear programme is designed exclusively for peaceful purposes, until such time as the Agency is able to provide such assurances;

10. calling on all States in the region to make the Middle East into an effectively verifiable zone free of nuclear weapons and other weapons of mass destruction and their delivery systems, in keeping with the Resolution on the Middle East adopted at the 1995 Review and Extension Conference;

11. since security in Europe is linked to security in the Mediterranean, giving top priority to implementation of the nuclear non-proliferation regime in that region;

12. acknowledging the importance of nuclear-weapon-free zones for peace and security, on the basis of arrangements freely entered into between the States of the region concerned;

13. stressing the need to do everything possible to prevent the risk of nuclear terrorism, linked to possible terrorist access to nuclear weapons or materials that could be used in the manufacture of radiological dispersal devices and, in this context, stressing the need for compliance with obligations under Security Council Resolution 1540 (2004). Calling for tighter security for high activity radioactive sources. Supporting G8 and IAEA action in this regard;

14. recognising that, in the light of the increased threat of nuclear proliferation and terrorism, the Proliferation Security Initiative, the Global Threat Reduction Initiative and the G8 Global Partnership Initiative should be approved;

15. calling for universal accession to the Comprehensive Safeguards Agreements and Additional Protocols;

16. recognising that Comprehensive Safeguards Agreements and Additional Protocols have a deterrent effect on nuclear proliferation and form today's verification standard, and continuing to work for increased detectability of any violations of Treaty obligations;

17. working for recognition by the IAEA Board of Governors that the conclusion of a Comprehensive Safeguards Agreement and an Additional Protocol is today's verification standard;

18. highlighting the IAEA's unique role in verifying States' compliance with their nuclear Non-proliferation commitments and helping them, on request, to tighten up the security of nuclear materials and installations, and calling on States to support the Agency;

19. recognising the importance of appropriate effective export controls, in compliance with Security Council Resolution 1540 (2004) and in accordance with Article III.2 of the NPT;

20. implementing, at national level, effective export, transit, transhipment and re-export controls, including appropriate laws and regulations for that purpose;

21. enacting effective criminal sanctions to deter illegal export, transit, brokering, trafficking and related financing, in compliance with UNSC Resolution 1540 (2004);

22. urging the Zangger Committee and the Nuclear Suppliers Group to share their experience on export controls, so that all States can draw on the arrangements of the Zangger Committee and the Nuclear Suppliers Group (NSG) guidelines;

23. pointing up the need to strengthen the (NSG) Guidelines at an early date, to adapt them to new non-proliferation challenges;

24. calling on the States Parties to the Convention on the Physical Protection of Nuclear Material to work for rapid conclusion of an amended Convention;

25. recognising the right of States Parties to the NPT to nuclear energy for peaceful purposes, in accordance with Article IV thereof, with due regard for Articles I, II and III of the Treaty;

26. underlining the importance of continuing international cooperation in order to strengthen nuclear safety, safe waste management and radiological protection and calling upon States that have not yet done so to accede to all the relevant conventions as soon as possible and to implement fully the ensuing commitments;

27. noting that the States Parties to the NPT, may, pursuant to Article IV thereof, have resort to peaceful uses of nuclear energy, *inter alia* in the area of production of electricity, industry, health and agriculture;

28. urging the formulation of guarantees of access to nuclear fuel services, or to fuel itself, subject to appropriate conditions;

29. noting the report of the IAEA's expert group on multinational approaches to the nuclear fuel cycle and promoting an early start to its scrutiny by the IAEA;

30. stressing, while acknowledging the nuclear arms reductions which have taken place since the end of the cold war, the need for an overall reduction in nuclear arsenals in the pursuit of gradual, systematic nuclear disarmament under Article VI of the NPT and welcoming, in this context, the ratification of the Moscow Treaty by the Russian Federation and the United States of America in 2002, while stressing the need for more progress in reducing their arsenals;

31. stressing the need to implement the declarations made by the Presidents of Russia and America in 1991 and 1992 on unilateral reductions in their stocks of non-strategic nuclear weapons and calling on all States with non-strategic nuclear weapons to include them in their general arms control and disarmament processes, with a view to their reduction and elimination;

32. recognising application of the principle of irreversibility to guide all measures in the field of nuclear disarmament and arms control, as a contribution to the maintenance and reinforcement of international peace, security and stability, taking these conditions into account;

33. recognising the importance, from the point of view of nuclear disarmament, of the programmes for the destruction and elimination of nuclear weapons and the elimination of fissile material as defined under the G8 World Partnership;

34. pursuing efforts to secure transparency, as a voluntary Confidence Building Measure to support further progress in disarmament;

35. since the Comprehensive Nuclear Test Ban Treaty (CTBT) forms an essential part of the nuclear disarmament and non-proliferation regime and with a view to its entry into force as soon as possible, without conditions, calling on States, particularly those listed in Annex II, to sign and ratify the said Treaty without delay and without conditions and, pending the entry into force of the said Treaty, calling on all States to abide by a moratorium and to refrain from any action contrary to the obligations and provisions of the said Treaty. Highlighting the importance of the work of the CTBT Organisation Preparatory Commission and actively supporting the work of the Special Representative of the States which have ratified the Treaty charged with promoting universal accession to the Treaty;

36. appealing again to the Disarmament Conference for the immediate commencement and early conclusion of a non-discriminatory, universally applicable Treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, without pre-conditions, and bearing in mind the special coordinator's report and the mandate included therein and, pending entry into force of the said Treaty, calling on all States to declare and uphold a moratorium on the production of fissile material for nuclear weapons or other nuclear explosive devices. The EU welcomes the action of those of the five nuclear-weapon States which have decreed the relevant moratorium;

37. calling on all States concerned to take appropriate practical measures in order to reduce the risk of accidental nuclear war;

38. pursuing consideration of the issue of security assurances to the non-nuclear-weapon States Parties to the NPT;

39. calling on nuclear-weapon States to reaffirm existing security assurances noted by the United Nations Security Council in Resolution 984(1995) and to sign and ratify the relevant protocols on nuclear-weapon-free zones, drawn up following the requisite consultations, recognising that Treaty-based security assurances are available to such zones;

40. stressing the need for general disarmament;

41. highlighting the importance of universal accession and implementation of the Biological and Toxins Weapons Convention (BTWC), the Chemical Weapons Convention (CWC) and the conventions, measures and initiatives contributing to conventional arms control;

42. calling for universal accession to and effective implementation of the Hague Code of Conduct against Ballistic Missile Proliferation;

43. working for the resolution of the problems of regional instability and insecurity and of the conflict situations which are often at the root of armament programmes.

Article 3

Action taken by the European Union for the purposes of Article 2 shall comprise:

(a) where appropriate, demarches by the Presidency, pursuant to Article 18 of the Treaty on European Union, with a view to promoting the universality of the NPT;

(b) demarches by the Presidency, pursuant to Article 18 of the Treaty on European Union, with regard to States Parties to the NPT, in order to urge their support for the objectives set out in Article 2 of this Common Position;

(c) the pursuit of agreement by Member States on draft proposals on substantive issues for submission on behalf of the European Union for consideration by States Parties to the NPT which may form the basis for decisions of the NPT 2005 Review Conference;

(d) Statements by the European Union delivered by the Presidency in the General Debate and in the debates in the three Main Committees.

Article 4

This Common Position shall take effect on the date of its adoption.

Article 5

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 25 April 2005.

For the Council
The President
J. ASSELBORN

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

18 May 2005

Original: English

New York, 2-27 May 2005

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by the Republic of Croatia

Article I

1. Having passed the test of time, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has confirmed its role as the most important international deterrence instrument against the threat of nuclear arms proliferation, at the same time promoting the peaceful uses of nuclear energy.

Article II

2. Croatia is actively implementing the principles of non-proliferation and the non-acquisition of nuclear materials or equipment used in the production of nuclear weapons or any other nuclear explosive devices.

Article III

3. On 9 June 1994, Croatia signed the Agreement between the Republic of Croatia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-proliferation of Nuclear Weapons with Protocol (INFCIRC/463). The Agreement entered into force on 19 January 1995 and since that time Croatia has the state system on accounting, control and physical protection of nuclear material fully established.

4. Recognizing its importance for the further strengthening of the non-proliferation and verification regime, Croatia was among the first countries to sign, on 22 September 1998, the Protocol Additional to the Agreement Between the Republic of Croatia and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons (INFCIRC/463, Add.1). The Additional Protocol entered into force on 6 July 2000 and since that time Croatia has established supervision and control measures over production and import and export of specific equipment and

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materials specially designed or prepared for producing, processing or using nuclear materials. Implementation of the Additional Protocol is based on the Law on customs tariffs and the Decree specifying goods subject to export and import licences, as well as the Law on Nuclear Safety, adopted in October 2003. The Law on Nuclear Safety defines safety and protection measures while using nuclear materials and specified equipment in performing nuclear activities and establishes an independent regulatory body for nuclear safety — the State Office for Nuclear Safety.

5. Croatia considers that the Comprehensive Safeguards Agreement together with Additional Protocols constitutes the current IAEA verification standard and continues to call upon all States that have not yet done so to sign and ratify their safeguards agreements and additional protocols.

6. Croatia implements its obligations under Article III paragraph 2 by controlling the export of nuclear material and dual-use goods. In addition to the legislation that regulates nuclear material exports, in July 2004 Croatia adopted the Law on Export of Dual-Use Items. The Law has been prepared pursuant to the European Union Council Regulation (EC) No. 1334/2000 of 22 June 2000, which established an efficient common control system of the export of dual-use items in the European Union Member States, including the principles from Nuclear Suppliers Group's guidelines (INFCIRC/254). With this Law, Croatia has established a system of regulations for export control assurance for dual-use items and technologies. The Law on Export of Dual-Use Items defines conditions for export of dual-use items, competences of the government administration bodies in the implementation of the export of dual-use items, as well as rights and obligations of the exporters.

7. The Law on Export of Dual-Use Items is accompanied by the Decree on the List of Dual-Use Items, adopted by the Croatian Government in December 2004, containing the list of dual-use items identical in substance to the Annex I of the European Union Council Regulation (EC) No. 1504/2004 of 19 July 2004 (amending and updating the Regulation 1334/2000).

8. Croatia has applied for the membership in the Nuclear Suppliers Group, while the application for membership in the Zangger Committee is under preparation.

9. Croatia is a party of the Convention on the Physical Protection of Nuclear Material (CPPNM) — INFCIRC/274, and undertakes the obligation to effectively protect nuclear materials that are used, stored or transported for peaceful purposes, guided by the principles given in the IAEA document The Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225). Although Croatia does not possess any nuclear facilities, it is important to note that all the necessary safeguard measures are applied in all peaceful activities involving nuclear materials on its territory. Croatia will not approve the import, export or transit (transport) of nuclear materials without guarantees that these materials are protected according to levels specified in Annex I of the Convention. Illicit trafficking of nuclear materials is penalized as a criminal offence according to the Criminal Law.

10. Being an active participant in the negotiation process on an amendment to the CPPNM, Croatia was also among the 24 countries that jointly submitted a request to the Director General of the International Atomic Energy Agency to convene a diplomatic conference for its adoption.

Article IV

11. Croatia attaches particular importance to the peaceful use of nuclear energy and considers international cooperation as an inevitable element for the transfer of knowledge and experience for the safe use of nuclear energy. In this respect, Croatia especially commends, being its active participant, the Technical Cooperation Program of the International Atomic Energy Agency.

12. Although Croatia does not have nuclear fuel cycle facilities on its territory, it is sharing ownership with the Republic of Slovenia over the Nuclear Power Plant Krško, constructed as a joint investment of then two republics of the former Yugoslavia in late seventies on the Slovenian territory. In March 2003, after several years of disputes over joint exploitation of the nuclear power plant, the Agreement between the Republic of Croatia and the Republic of Slovenia on the Regulation of the Status and Other Legal Relationships, Connected with Investments in the Krško Nuclear Power Plant, its Exploitation and Decommissioning entered into force.

13. Considering nuclear safety and security with outmost attention, Croatia became State party of all relevant international conventions: the Nuclear Safety Convention (INFCIRC/449), the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (INFCIRC/546), the Convention on the Physical Protection of Nuclear Material (INFCIRC/274), the Convention on Early Notification of a Nuclear Accident (INFCIRC/335), the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (INFCIRC/336), the Vienna Convention on Civil Liability for Nuclear Damage (INFCIRC/500/Add.1) and the Joint Protocol relating to the Application of the Vienna Convention and the Paris Convention (INFCIRC/402). Croatia actively participates in the working meetings on these Conventions.

14. Based on the provisions of the Vienna Convention on Civil Liability for Nuclear Damage, Croatia has adopted, in 1998, the Law on Liability for Nuclear Damage which regulates liability in usage and management of nuclear materials.

Article V

15. Croatia signed the Comprehensive Nuclear-Test-Ban Treaty (CTBT) on 24 September 1996 and ratified it on 2 March 2001, and actively participates in the work of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, including its Working Group B dealing with the examination of verification issues. In June 2002, Croatia established a National Commission for the Comprehensive Nuclear-Test-Ban Treaty Implementation and the Ministry of Foreign Affairs and European Integration acts as the national focal point for liaison with the Preparatory Commission.

16. Considering the early entry into force of the CTBT exceptionally important, Croatia continues to call upon all States that have not yet done so to sign and/or ratify the CTBT.

Article VI

17. Croatia is fully supporting Article VI stipulation containing a clear obligation for State Parties to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. Croatia therefore supports efforts within the framework of the Conference on Disarmament to establish, at its earliest possible opportunity, ad hoc committee aiming to conclusion of non-discriminatory, multilateral and universally applicable treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices.

Article VII

18. Croatia welcomes the creation of nuclear-weapon-free zones recognizing them as important complementary instruments to the NPT and appreciating the role they can play in promoting regional and global peace and security. Croatia believes that the establishment of nuclear-weapon-free zones must be based on arrangements freely made among the States of the region in question, and should not interfere with existing or evolving security arrangements to the detriment of regional and international security.

Article VIII

19. Croatia fully supports continuing review process for further strengthening of the NPT. In this respect, Croatia supports the practice of submitting regular reports on implementation of the Treaty.

Article IX

20. Emphasizing outmost importance of the NPT, Croatia continues to call on all States that have not yet done so to accede to the Treaty.

Article X

21. Croatia regrets the notification by the DPRK of its withdrawal from the NPT. Croatia believes that the question of withdrawal from the Treaty should be seriously addressed.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)

Report submitted by Brazil

Article I

1. Both individually and as a member of the New Agenda Coalition, Brazil has consistently called upon the five States known as Nuclear Weapon States (NWS) under the Treaty to undo the effects of the nuclear proliferation they engaged in through the accumulation of weapons, hence to strive to achieve nuclear disarmament. Like other types of weapons of mass destruction, which are prohibited under their respective regimes, nuclear weapons should be completely eliminated. There should be no excuse for its use, indefinite retention, development or acquisition. The NPT is instrumental for this objective.

Article II

2. The Brazilian Constitution expressly forbids all non-peaceful nuclear activities. It effectively outlaws all activities involving nuclear weapons, which are prohibited within the national territory, in line with Brazil's commitments and obligations under the NPT.

3. Brazil does not possess — nor has it ever developed — nuclear weapons. Brazil has always fulfilled its nuclear non-proliferation commitments. Legislation in force prohibits and prevents the testing, use, manufacture, production or acquisition by any means of any nuclear explosive device in its territory. Furthermore, Brazil abstains from carrying out, promoting or authorizing, directly or indirectly, or from participating, in any way, in any of the said activities. Brazil is not a party to any strategic alliance or security system that contemplates the possibility of using nuclear weapons.

4. Brazil shares the concerns about the risk that weapons of mass destruction and related technologies may fall into the hands of non-State actors or terrorists. Such risk only strengthens the need to work towards complete nuclear disarmament. Brazil believes that the need to curb proliferation should not in any way justify the indefinite retention of nuclear weapons by any State, or hamper either the economic

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and technological development of the Parties or international cooperation in the field of peaceful nuclear activities.

5. The concern about proliferation outside the Treaty is legitimate. Complacency with proliferation outside the NPT is inconsistent with efforts to strengthen the Treaty's regime and may defeat the purpose of eliminating nuclear weapons. The goal of universality must be stressed in this regard.

6. Besides the obligations derived from the Non-Proliferation Treaty (NPT) and the incorporation into its national legislation of the guidelines adopted in the context of the Nuclear Suppliers Group (NSG), of which it is a member, Brazil has developed national legislation for the control of every nuclear activity, which defines specific penalties for activities not authorized by the Government in this field. This legislation is in line with United Nations Security Council resolution 1540 (2004):

- The Federal Constitution of 1988[1] determines that "all nuclear activity within the national territory shall only be admitted for peaceful purposes and subject to approval by the National Congress";
- Act No. 4.118, of August 27, 1962,[2] created the National Commission for Nuclear Energy (CNEN). It determines that all activities related to the nuclear field (transfer, possession, development, production etc.) are a monopoly of the State. It establishes that control of these activities is incumbent upon CNEN. It defines as a crime against national security the clandestine export or import of nuclear materials (Article 39). Furthermore, it prohibits the possession or transfer of nuclear materials, including by-products, without explicit authorization from CNEN, even within the domestic market (Article 40);
- Act No. 6.453, of October 17, 1977,[3] established civil responsibility for nuclear damages and criminal responsibility for acts related to nuclear activities. It defined and penalized the production, processing, supplying and use of nuclear material without necessary authorization or for other purposes than those allowed by law (Article 20), as well as the export and import of nuclear material without due official licence (Article 25). If related to terrorist acts, the penalties associated to these offences are cumulative to those provided for crimes of terrorism.

Article III

7. All of the nuclear material in Brazil is accounted for by the National Commission for Nuclear Energy (CNEN) and is subject to IAEA Comprehensive Safeguards.

8. In addition, Brazil and Argentina have established the Brazil-Argentine Agency for Accounting and Control of Nuclear Material (ABACC), which is responsible for the administration and application of the Common System of

[1] Federal Constitution, Article 21, paragraph XXIII, literal "a".

[2] Published in the "Official Journal of the Union" of August 27, 1962. Text in Portuguese available at https://www.planalto.gov.br.

[3] Published in the "Official Journal of the Union" of October 17, 1977. Text in Portuguese available at https://www.planalto.gov.br.

Accounting and Control (SCCC) of all nuclear activities in Brazil and Argentina, with a view to ensuring that no material is diverted or used in an inappropriate or unauthorized manner, in conformity with the purposes of the Bilateral Agreement that created the Agency.

9. The Quadripartite Agreement between Brazil, Argentina, ABACC and IAEA (December 13, 1991) subjects all of Brazil's nuclear activities to IAEA Comprehensive Safeguards. Physical monitoring of nuclear activities, as mandated under the NPT, is conducted both by IAEA and ABACC (under the terms of the Quadripartite Agreement). Such monitoring started before Brazil's accession to the NPT. All 35 Brazilian nuclear facilities are under international ABACC and IAEA safeguards, including one uranium isotopic enrichment laboratory and one uranium enrichment pilot plant that are located at military facilities. About 60 IAEA and ABACC on-site inspections are conducted every year.

10. The concern that peaceful nuclear programmes may be used as cover for nuclear proliferation must be shared by the entire international community. However, the proposals that have been made to counter this concern tend, on the one hand, to ignore the successful track record of the system of safeguards now in place for non-nuclear-weapon IAEA members; and, on the other, to wrongly blame the NPT for loopholes that supposedly render it ineffective to combat nuclear non-proliferation.

11. Brazil has always supported the strengthening of the safeguards system within the IAEA and agrees that there is a need for additional measures to be negotiated between individual Parties and the Agency. It is Brazil's view that the strengthening of safeguards should be assessed in the light of the wider disarmament and non-proliferation context. Non-proliferation has been emphasized of late, with a view to extracting further commitments from non-nuclear-weapon States. Further measures to strengthen the current safeguards regime should not result in additional financial burden on Member States, particularly developing countries. It is important to maintain a balance in the activities of the Agency regarding verification on the one hand and promotion of peaceful applications of nuclear energy, including technical assistance on the other.

Article IV

12. The NPT clearly recognizes the inalienable right to the development and use of nuclear energy for peaceful ends, which predated the Treaty. This recognition of this inalienable right was a central part of the bargain that was struck at the creation of the nuclear disarmament and non-proliferation regime. This bargain was at the core of the creation of the IAEA, and it was later to prove instrumental in establishing the NPT and in making it a permanent, quasi-universal regime.

13. Brazil has been a member of the IAEA since 1957. It participates in an active and constructive manner in the work of the Agency, with the aim of ensuring the right to the peaceful use of nuclear technology and to promote international cooperation in this field.

14. The development and uses of nuclear energy for exclusively peaceful purposes is a fundamental principle of our national policy, which is enshrined in our Constitution. We remain convinced of the potential benefits of the responsible use

of nuclear technologies and of the synergies fostered by international cooperation in the nuclear field, for which the work of the IAEA is of great importance.

15. Brazil receives significant benefits from international cooperation. It also assists others by supplying them with technical cooperation in the field of nuclear science and peaceful nuclear technology applications.

16. Brazil maintains nearly 20 bilateral nuclear cooperation agreements, with both developed and developing countries. In the multilateral arena, Brazil attributes particular relevance to the IAEA Technical Cooperation Programme (TCP), of which it is an active participant, both as a beneficiary and as a donor of technical cooperation. Such activities have been of the essence for the country's peaceful uses of nuclear energy, as well as for its collaboration with other countries, mainly in Latin America.

17. Under the aegis of the TCP, Brazil sends 50 technicians for training abroad every year. Furthermore, it extends over 40 scholarships for nationals of Latin American and Caribbean, African, and Asian countries to receive training at Brazilian institutions. Brazil also makes available about two dozen of its nuclear specialists every year to serve in the context of IAEA expert missions abroad.

18. Brazil has been an active participant of the Regional Cooperative Agreement for the Advancement of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL) since the 1980s, mainly as a donor country, both by making scholarships at its nuclear institutions available for training Latin American and Caribbean experts, as well as by making Brazilian experts and instructors available to assist other countries in the region.

19. Brazil also participates in international initiatives with a view to developing innovative reactor designs, such as INPRO and Generation IV.

20. Nuclear techniques are being applied by Brazil, in close collaboration with its Mercosul partners, Argentina, Paraguay and Uruguay, in order to harness the full potential of the "Guarani Aquifer" (underground water reservoir), one of the world's largest underground fresh water reserves, which spans the four countries.

21. Regarding the peaceful uses of nuclear energy, Brazil presently operates two nuclear power stations, which generate approximately 2,000 MW, or 3 per cent of the country's total electrical power generation. Brazil is endowed with the world's sixth largest uranium ore reserves, with 70 per cent of the territory still to be prospected.

22. Brazil has developed wide-ranging production capabilities, from mining and processing of uranium to UO_2 and nuclear fuel element production, all the way to isotopic uranium enrichment. Uranium enrichment activities were started in 1987 at the Aramar Experimental Center, which developed the technology indigenously. Brazil's first industrial nuclear fuel facility, located at Resende, is now fully operational.

23. Besides electrical power generation, Brazil's nuclear activities extend to wide-ranging applications in medicine, agriculture, industry and environmental protection. Over 600 hospitals use nuclear techniques for both in vitro and in vivo procedures. More than 450 clinical facilities apply radiopharmaceutical products in over 2.5 million medical procedures every year. Furthermore, there are approximately 200 specialized laboratories, which conduct radio-immune assays.

24. Nearly 600 industrial plants use radioisotopes, e.g. in food irradiation, polymerization, industrial radiography and oil-well operations.

Article V

25. The Final Document of the 2000 Review Conference affirms that provisions in this article are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Brazil signed the CTBT on the date it opened for signature, 24 September 1996, and ratified it soon afterwards.

26. In line with this commitment, Brazil also revoked its the reservations under the Tlatelolco Treaty concerning peaceful nuclear explosions, thus relinquishing the right to conduct them.

27. Brazil has consistently called for the universalization of the CTBT. Furthermore, it continues to call for signatories that have not done so, particularly those 11 States listed in Annex 2 of the Treaty, to ratify it with a view to its early entry into force.

Article VI

28. Nuclear non-proliferation and nuclear disarmament are mutually reinforcing processes. Thus, the strengthening of the safeguards system is expected to go hand in hand with concrete progress towards the goal of nuclear disarmament. Fulfilment of all 13 steps agreed at the 2000 NPT Review Conference is crucial in this context.

29. Brazil decided to adhere to the NPT to act more effectively in favour of nuclear disarmament, and to join other Parties in their efforts to correct the Treaty's imbalances and to contribute to its universality and enhanced credibility. The Brazilian Congress approved Brazil's accession under the understanding that "effective measures will be taken with a view to the cessation of the nuclear arms race at an early date and the total elimination of nuclear weapons", as stated in the Legislative Decree that approved the NPT.

30. Brazil welcomes the announcements regarding substantial reductions in nuclear arsenals. The reductions in the numbers of deployed strategic nuclear warheads envisaged by the Treaty of Moscow represent a positive step in the process of nuclear de-escalation.

31. However, Brazil notes that the fundamental principles of verification and irreversibility should be applied to all disarmament measures. There should be no possibility of redeploying nuclear weapons in current non-operational status, for this would render unreliable nuclear weapon reduction figures and statistics. Particularly disturbing are new approaches concerning the role of nuclear weapons in security strategies, especially studies on the possible development of low yield nuclear weapons and plans related to their tactical uses, including countering conventional forces.

32. The "unequivocal undertaking" agreed upon in 2000 should be demonstrated by further, stronger nuclear disarmament measures. Little has been done since 2000 by the 5 NWS to reduce the importance of nuclear weapons at their defence and strategic doctrines. The continuous importance attached by the 5 NWS to nuclear weapons suggests to the rest of the world that such weapons are indeed relevant to security needs. This perception may generate genuine interest in such an option in other Parties, which would in turn stoke the flames of nuclear proliferation.

Article VII

33. Brazil is a founding member of the first nuclear-weapon-free zone in an inhabited region of the world, which is the hallmark of the Treaty of Tlatelolco adopted by all Latin American and the Caribbean States in 1967. This Treaty, which actually predates the NPT itself, has now been ratified by every country in the region, and it is considered a beacon for other initiatives modelled after it around the world.

34. We strongly support the implementation of nuclear-weapon-free zones and consider that they shall play an increasingly important role with a view to promoting the building of mutual confidence and nuclear disarmament worldwide. In that spirit, Brazil participated in the Conference of Nuclear-Weapon-Free Zones, held from April 26 to 28, 2005 at the site of the signing of the Treaty of Tlatelolco.

35. In 2004, the State parties to the Treaty of Tlatelolco renewed their call to the Nuclear-Weapon States to extend them negative security assurances under the aegis of the Protocols of the Treaty. Unfortunately, once again the Nuclear-Weapon States' response has been discouraging, as they have chosen to hold on to their reservations to the Protocols. Brazil will continue to encourage the NWS to review this position, both bilaterally and as a State party to the Treaty of Tlatelolco.

36. We welcome the support of many States to the resolutions adopted at the fifty-sixth session of the United Nations General Assembly with a view to establishing or consolidating nuclear-weapon-free zones.

Article VIII

37. Every nation holds high stakes in the promotion of the nuclear disarmament, peaceful development and use, and non-proliferation goals of the NPT. The backdrop of disquieting developments which have taken place over the last 15 years make it ever more important to strengthen the Treaty's accountability and sustainability over the long run.

38. Such a review process should holistically consider all of the NPT State parties' commitments under the aegis of the Treaty.

39. Confidence in the review process as a guarantor of the fundamental bargain on which the Treaty is based should not be allowed to erode.

Article IX

40. Brazil considers that the universalization of the NPT remains one of the key challenges for the future of the Treaty. Accordingly, it has repeatedly called on those States not yet party to the Treaty to accede to it as non-nuclear-weapon States Parties. At the same time, it notes with concern that there are visible, worrisome signs of a gradual accommodation of the "de facto" nuclear status of those States that are not yet Parties to the NPT and have failed to renounce the nuclear-weapons option. Such an attitude would contradict the letter and the spirit of the NPT as well as of United Nations Security Council resolution 1172. Brazil also recalls and fully supports the 2000 Review Conference Final Document declaration that nuclear tests "do not in any way confer a nuclear-weapon State status or any special status whatsoever".

41. Furthermore, on February 11, 2005 Brazil deplored the announcement by the Democratic People's Republic of Korea (DPRK) that it is in possession of nuclear weapons and that it intends to continue to develop them. We thus reaffirm our call to the DPRK to reconsider this decision and to reaffirm its commitments under the NPT. Brazil considers that the 2005 NPT Review Conference has, in this regard, a twofold task: to urge non-States Parties to accede to the NPT without conditions and without delay, and to call on States Parties to refrain from any action that may contravene or undermine the fulfilment of the objectives of the Treaty as well as of relevant United Nations resolutions.

Article X

42. Brazil considers that the decision to withdraw from the NPT is a sovereign right that is widely recognized under international law. The indefinite extension of the NPT adopted at the 1995 Review Conference has not in any way altered the validity of Article X as it concerns the withdrawal procedure, which Brazil considers to conform to international conventional practice.

43. Considering the nature of the Treaty and its relevance for international peace and stability, Brazil considers that Article X entreats the United Nations Security Council to engage itself in diplomatic negotiations to address the reasons adduced by a State to seek its withdrawal from the NPT.

44. Furthermore, Brazil considers that ways should be sought to make withdrawal from the NPT more onerous a decision for States Parties to take, especially if such withdrawal is associated to the intent to engage in nuclear proliferation or in any other way to erode the Treaty's effectiveness. Such consideration should take into account the implications that actions discouraging withdrawal may have for legitimate rights under other conventions and agreements, including those of a commercial nature.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraph 4 (c) of the 1995 decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament

Report submitted by Nigeria

1. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) has contributed immensely to international peace and stability. Nigeria is proud to have contributed to this process by renouncing the nuclear option. Nigeria has always reaffirmed her commitment to the Treaty as a vital instrument for the maintenance of international peace and security. As a demonstration of this commitment, and her strong belief in a nuclear-free world, she had concluded safeguards agreement with IAEA and ratified the Treaty of Pelindaba on the African Nuclear-Weapon-Free Zone. Nigeria will continue to remain faithful to her obligations and responsibilities under the Treaty.

2. Nigeria has continued to abide by its commitment to NPT and has never received nor solicited any transfer of nuclear weapons or nuclear explosive devices. Nigeria does not manufacture and did not acquire or receive control over nuclear weapons or other nuclear explosive devices.

3. The existence of nuclear weapons has continued to pose serious threat to the international community. In this regard, and bearing in mind that NPT is the only legally-binding international agreement that commits nuclear-weapon States to nuclear disarmament, Nigeria has always called on States parties to reaffirm their commitment to the full implementation of the Treaty in all its aspects, particularly article VI. Nigeria believes that this should be one of the major challenges for States parties. Nigeria also underlines the importance and urgency of achieving the universality of Treaty.

4. The need to confront this challenge is in keeping with the resolve of the global community in the Millennium Declaration to strive for the elimination of weapons of mass destruction, particularly nuclear weapons. In this connection, Nigeria also recalls a similar commitment in the same declaration to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways and means of eliminating nuclear danger. The urgent

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need to confront the threat of nuclear weapons is particularly relevant now as the Millennium Declaration becomes due for review. Nigeria has always supported all resolutions at the United Nations General Assembly and other multilateral forums related to nuclear disarmament, and will continue to do so.

5. Pending the total elimination of those weapons, it is imperative for Member States to agree on the establishment of a legally-binding international instrument under which the nuclear-weapon States will undertake not to use or threaten to use nuclear weapons against non-nuclear weapon States. The International Court of Justice had reinforced this principle in 1996 in its advisory opinion on the legality of the threat or use of nuclear weapons. Nigeria has expressed its support for that advisory opinion because she firmly believes that nuclear non-proliferation can only be meaningfully sustained if non-nuclear-weapon States that have renounced the development or possession of nuclear weapons are themselves assured, under legally-binding agreement, against the use or threat of use of such weapons. By transforming the disparate assurances declared by the nuclear powers into a unified, legally-binding obligation, the nuclear powers will not only be fulfilling part of their commitments towards these States but also reinforcing the non-proliferation regime against possible future setbacks. Nigeria also believes that the total elimination of nuclear weapons remains the only absolute guarantee against the use or threat of use of nuclear weapons.

6. Nigeria supports Final Document adopted by consensus at the 2000 Review Conference, as well as the decision on Principles and Objectives for Nuclear Non-Proliferation and Disarmament and the resolution adopted by the 1995 Review and Extension Conference as valuable platforms for the review process and for full implementation of NPT. In particular, Nigeria endorses the 13 practical steps adopted by the 2000 Review Conference for the systematic and progressive efforts to implement the unequivocal commitment undertaken by States parties to accomplish the total elimination of their arsenals leading to nuclear disarmament. Nigeria has always expressed grave concern at certain developments, including the emergence of new strategic doctrines in some nuclear-weapon States, which have shrouded the expected implementation of these important commitments with uncertainty. Nigeria has always called upon States parties to reaffirm their commitment to the obligations they assumed in 2000 under the 13 Practical Steps and to the Treaty as a whole.

7. Nigeria supports the total elimination of nuclear testing. As a demonstration of this support, Nigeria ratified Comprehensive Nuclear-Test-Ban Treaty (CTBT) in 2001 and has always voted in favour of General Assembly, resolutions calling for entry into force of CTBT. Nigeria has always participated actively in the Conferences for the entry into force of the Treaty. Nigeria has always stressed the significance of achieving universal adherence to CTBT, by all nuclear-weapon States, which, among others, should contribute to the process of nuclear disarmament. She has consistently called upon all States whose ratification is necessary for the Treaty to enter into force to do so urgently to enable the Treaty to enter into force without further delay. Pending its entry into force, the nuclear-weapon States and other nuclear powers should maintain the moratorium on nuclear-weapon-test explosions. Nigeria believes, however, that observance of the existing moratorium on nuclear testing should not substitute for a comprehensive ban on nuclear-weapon testing.

8. Nigeria has acknowledged the importance of bilateral efforts by the two major nuclear powers in setting in motion the process of reducing strategic offensive nuclear weapons as a positive step towards nuclear disarmament. Nigeria, however, shares the view of the vast majority of Member States that reduction in deployments and in operational status cannot substitute for irreversible cuts in, and the total elimination of, nuclear weapons. Of equal significance is the need for these efforts to be transparent and verifiable.

9. Nigeria has consistently called for the establishment in the Conference on Disarmament of an Ad Hoc Committee to negotiate a non-discriminatory, multilateral, and internationally and effectively verifiable treaty banning the production of fissile materials for nuclear weapons or other nuclear explosive devices, as agreed at the 2000 NPT Review Conference. At the Conference on Disarmament, Nigeria had advocated a reliable verification mechanism for such instrument that will not exclude existing stockpiles.

10. Nigeria has supported all General Assembly resolutions calling on the Conference on Disarmament to agree to commence work on substantive issues before it as soon as possible. Nigeria has continued to reiterate its full support for the Five Ambassadors Proposal as a mechanism for breaking the existing impasse in reaching a work programme for the Conference on Disarmament.

11. Nigeria recognizes the important role of IAEA in promoting international cooperation on peaceful uses of nuclear energy and has discouraged any moves by IAEA Member States that could hinder the peaceful application of nuclear technology as provided for in the Treaty. In this connection, Nigeria has urged States parties to adopt appropriate measures to preserve the inalienable right of all the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination as contained in the Treaty. She has, however, underscored the need for all States parties to place their nuclear facilities under full-scope IAEA safeguards as essential for building confidence in this respect. On its part, the Nigerian Government has established an agency that will regulate all nuclear-related activities in the country in conformity with the relevant provisions of NPT and the Statute of the IAEA. Nigeria has signed the African Regional Cooperative Agreement for Research, Development and Training Related to Nuclear Science and Technology which has cooperative arrangement with the IAEA.

12. Nigeria has continued to support efforts aimed at establishing nuclear-weapon-free zones in all regions of the world on the basis of arrangements freely arrived at by the States in the region concerned. She has consistently reaffirmed the need for the establishment of a nuclear-weapon-free zone in the Middle East and the realization of the goals and objectives of the 1995 resolution on the Middle East. Nigeria participated actively at the international Conference of States parties and signatories to Nuclear-Weapon-Free Zone treaties that took place in Mexico from 26 to 28 April 2005 which represents another demonstration of her belief in advancing the objectives of nuclear non-proliferation.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Indonesia

1. Since Indonesia became a party to the NPT in 1979, it has shown full commitment both to the letter and spirit of the Treaty. As a declared non-nuclear weapon State, Indonesia has always been in the forefront of the international community's concerted efforts for non-proliferation and for a nuclear-weapons-free world.

2. Indonesia continues to regard the Treaty as a cornerstone of the non-proliferation regime and an essential foundation for nuclear disarmament. It is committed to preserving the Treaty's integrity through the full implementation of its provisions as well as the consensus documents of 1995 and 2000 by all States Parties which provide the yardstick to determine its integrity and viability.

Article I

3. Indonesia wishes to emphasize the particular importance attached to the strict observance of this Article which enjoins nuclear-weapons States not to transfer nuclear weapons or control over such weapons to non-nuclear States. It also prohibits the former from assisting or encouraging the latter from manufacturing or acquiring such weapons. These allow for no exceptions to prevent the proliferation of nuclear weapons and are binding in times of peace as well as in times of war. This also includes an obligation to refrain from stationing nuclear weapons on the territories of non-nuclear States parties to the Treaty and cooperation for military purposes under any kind of security arrangements. Regrettably, these obligations have been disregarded by some States Parties which calls for their effective implementation.

Article II

4. Indonesia continues to abide by its obligation not to receive nuclear weapons or gain control over such weapons, either directly or indirectly. Most importantly, it is firmly committed not to manufacture or otherwise acquire these weapons and not seek or receive any assistance in the manufacture of these weapons.

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Article III

5. The role of the IAEA as the competent authority for strengthening the non-proliferation regime through its comprehensive safeguards, verification procedures and Additional Protocol has been consistently supported by Indonesia. Thus, it has fully cooperated with the Agency and earned its confidence by ensuring compliance with peaceful use undertakings, especially in the context of non-diversion of declared nuclear materials and the absence of undeclared nuclear activities.

6. However, it is fully recognized that access to nuclear technology due to its dual nature also facilitates the acquisition of a weapons capability. This places a special responsibility on the States concerned to build confidence with the international community to dispel any concerns about proliferation. They need to ensure that the IAEA is able and permitted to verify that these capabilities are being used exclusively for peaceful purposes through appropriate mechanisms.

Article IV

7. In Indonesia's view, restrictions on the supply of nuclear energy for peaceful purposes corrode the Treaty's provisions and deepen the inherent imbalances and discrimination between the nuclear-haves and have-nots. Hence, the question of assured access to the peaceful uses of nuclear energy can usefully be pursued by implementing the IAEA's proposal for the establishment of multilateral or international facilities. This would provide internationally guaranteed and economically feasible supplies of nuclear fuel and services in a transparent manner open to participation by all States and thereby meet the future energy needs of both developed and developing nations.

8. As a long-term strategy, Indonesia has recognized that dependence on oil should be reduced and replaced by other renewable resources, including nuclear energy. It is envisioned that the introduction of nuclear power programmes would not only satisfy the increased demands for electricity but also serve the dual purpose of saving finite fossil resources for the future and as an integral part of efforts to reduce global warming. While pursuing these policies, Indonesia will endeavour to strike a harmonious balance between verification, promotional activities and technical cooperation with regard to the utilization of nuclear energy. The IAEA can play a useful role in launching a campaign to educate the public about the wide-ranging ramifications of a programme for nuclear energy in the twenty-first century.

9. The law enforcement authorities in Indonesia are fully aware of the dangers posed to its nuclear infrastructure by non-State actors. Hence, they have taken appropriate steps to ensure the safety and security of its nuclear installations and facilities in accordance with internationally required standards.

Article V

10. The 2000 Final Document has stipulated that Article V concerning potential benefits from peaceful applications of nuclear explosions is to be interpreted in the context of the Comprehensive Nuclear-Test-Ban Treaty. This Treaty is awaiting ratification by the Indonesian Parliament. Meanwhile, Indonesia is gratified by the progress made, among others, in the creation of a verification regime to ensure compliance with its provisions and looks forward for further advances during the

next Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty scheduled to be held in September 2005.

Article VI

11. Indonesia is deeply concerned at the asymmetry in the implementation of commitments for nuclear disarmament. In the near term, the weapons States must give up plans for the development of new types of nuclear weapons; facilitate the early entry into force of the CTBT; expedite the resumption of negotiations leading to the conclusion of a treaty to ban the use of fissile materials for weapons purposes; devalue the role of nuclear weapons in security policies; and render irreversible and verifiable the nuclear reductions agreed in the Moscow Treaty. Most fundamentally, multilaterally negotiated agreements for the total elimination of arsenals within a time-bound framework remains Indonesia's priority objective in the nuclear equation. Such an approach will ensure the vitality and longevity of the non-proliferation regime.

Article VII

12. In accordance with the right of States to conclude regional treaties for the total absence of nuclear weapons from their territories, Indonesia along with other signatories to the Bangkok Treaty, has called for the early ratification of its Protocol by the nuclear weapon States. We are hopeful that consultations will continue with a greater sense of urgency in resolving outstanding differences which will ensure the effectiveness of the zone.

13. In this regard, Indonesia emphasizes the paramount importance of providing security assurances to the non-nuclear-weapon States against the use or threat of use of nuclear weapons through a legally binding international instrument. This will constitute a critical element to maintain the norms of the non-proliferation regime.

Article VIII

14. Deals with amendments to the Treaty and convening of Review Conferences until 1995; hence, non-applicable. Yet, it is pertinent to recall that the three 1995 decisions — Strengthening the Review Process, Principles and Objectives for Nuclear Non-Proliferation and Disarmament and the Indefinite Extension of the Treaty — along with the Resolution on the Middle East are integral and inseparable.

Article IX

15. Any State that does not sign the Treaty prior to its entry into force may accede to it at any time. There are three non-signatories. The lack of progress in nuclear disarmament is an important obstacle to universalization of the Treaty proclaimed in 1995. It is unlikely that they will accede to the Treaty but it is important that they conform to the collectively agreed norms and obligations of the non-proliferation regime.

Article X

16. Indonesia regrets the withdrawal of the DPRK from the NPT and calls on that State to resume its full obligations under the Treaty and the safeguards agreement

with the IAEA. The question of future withdrawals will have to be dealt with through negotiations and a consensus decision.

17. The 1995 decisions included a Strengthened Review Process and an indefinite extension of the Treaty that was intended to ensure accountability, inter alia, by submitting annual reports on the implementing of its provisions. Such reporting, called for in the 2000 document, would contribute substantively to the regime's credibility and acceptance.

18. Indonesia continues to support the consensus decisions adopted by the 1995 and 2000 Review Conferences. It remains convinced of the need to follow through by all States Parties on the commitments contained in those documents in their entirety to solidify the non-proliferation regime and to place it on a more solid footing.

19. The Non-Aligned Movement has proposed the creation of an open-ended intersessional standing committee to ensure the implementation of the Treaty's obligations and other related agreements. Its implementation would augment the collective capabilities of the NPT States Parties to monitor and promote both non-proliferation and nuclear disarmament and thereby contribute substantively to the restoration of confidence in the credibility of the non-proliferation regime.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament"

Report by Sweden

Introduction

1. As stated in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the section entitled "Article VI and eighth to twelfth preambular paragraphs", in paragraph 15, subparagraph 12, the Conference agreed on: "Regular reports, within the framework of the strengthened review process for the Non-Proliferation Treaty, by all States Parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the advisory opinion of the International Court of Justice of 8 July 1996. Sweden would hereby like to submit her report to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

2. Since the first session of the Preparatory Committee in 2002, Sweden has actively participated in the work on nuclear disarmament and non-proliferation. This has been done, for example, through the European Union, together with the other States in the New Agenda Coalition, and together with other like-minded States for example with regard to the issue of non-strategic nuclear weapons and the issue of disarmament and non-proliferation education. Disarmament and non-proliferation of nuclear weapons is a cornerstone in Swedish foreign policy and Sweden is a staunch supporter of efforts aimed at advancing progress in this field. In a op-ed article in the International Herald Tribune on 22 September 2004, the Foreign Minister of Sweden, Ms. Laila Freivalds, together with the six other Foreign Ministers of the New Agenda Coalition emphasized that nuclear non-proliferation and disarmament go hand in hand and are mutually reinforcing. They argued that non-proliferation is vital but not sufficient to meet the threats of today. If nuclear disarmament is not pursued, the world may end up with a new nuclear arms race and a weakened NPT regime. All NPT parties were called upon to comply with their respective commitments under the Treaty, and the Treaty should be made universal. Any plans

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to develop new nuclear weapons were asked to be shelved immediately. The Ministers also emphasized the importance of the early entry into force of the Comprehensive Nuclear Test-ban Treaty and that negotiations be started immediately on a verifiable fissile material cut-off treaty.

3. In an address given at the Conference on Disarmament on 15 March 2005, Foreign Minister Freivalds stated that political leaders must realize that in the twenty-first century, legitimate security concerns of all States must be acknowledged, respected and addressed. Global security is not a zero-sum game. Effective multilateralism enhances security for all and includes the seizing of opportunities when they arise, such as negotiating a fissile material cut-off treaty. Those blocking progress must be made to understand that the inertia in the CD is doing damage to both their own security and to our common security.

4. At the fifty-ninth United Nations General Assembly, Sweden coordinated the New Agenda Coalition and tabled, together with the other States in the Coalition, a resolution entitled "Accelerating the implementation of nuclear disarmament commitments" (59/75). The resolution emphasized the need for the acceleration of nuclear disarmament commitments leading up to the 2005 NPT Review Conference, recalled the unequivocal undertaking to accomplish the total elimination of nuclear weapons, which the nuclear-weapon States committed themselves to in 2000, and the practical steps to achieve nuclear disarmament, and highlighted a number of the steps on which immediate action was particularly urgent and realistic in light of the upcoming NPT Review Conference. The resolution was adopted by the General Assembly, and supported by more than 150 countries, showing broad cross-regional support for the nuclear disarmament pillar of the NPT.

5. Sweden supported, at the fifty-ninth United Nations General Assembly, a number of resolutions on nuclear disarmament and non-proliferation, for instance the resolutions on the establishment of a nuclear-weapon-free zone in the region of the Middle East (59/63), on the risk of nuclear proliferation in the Middle East (59/106), on the establishment of a nuclear-weapon-free zone in Central Asia (59/513), on a nuclear-weapon-free southern hemisphere and adjacent areas (59/85) and on the follow-up to the advisory opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons (59/83).

6. Sweden also is committed to the effective implementation of the EU strategy against proliferation of weapons of mass destruction, adopted by the EU Heads of State and Government in December 2003.

7. To further address the threats posed by weapons of mass destruction the Swedish Government established in 2003 an independent international Commission on these weapons. The Commission will present its report, including recommendations on disarmament and non-proliferation measures, to the Swedish Government and the Secretary-General of the United Nations by 2005/2006.

Implementation of the 13 practical steps for the systematic and progressive efforts to implement article VI of the NPT and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament" included in the Final Document adopted by consensus at the 2000 NPT Review Conference

8. Step 1: The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty.

9. Sweden ratified the CTBT on 2 December 1998. Sweden has worked for the early entry into force of the Treaty bilaterally and through the European Union. Sweden has continuously supported the work of the Provisional Technical Secretariat in Vienna and its efforts to establish the international monitoring system for the verification of the Treaty. Sweden has promoted signatures and ratifications of the Treaty through démarches made by the European Union to a number of States. Sweden supported the resolution (59/109) entitled "Comprehensive Nuclear Test-Ban Treaty" adopted by the 59th United Nations General Assembly, which called for measures to enable the Treaty to enter into force. Sweden supports the Article XIV Conferences as important instruments contributing to the early entry into force of the CTBT. Sweden supports the adoption at the third Article XIV Conference in 2003 of the twelve specific and practical measures to promote the early entry into force of the Treaty. Sweden also supports the holding of a fourth Article XIV Conference in September 2005.

10. Step 2: A moratorium on nuclear weapon test explosions or any other nuclear explosions pending the entry into force of that Treaty.

11. Sweden has continuously supported the upholding of a moratorium on nuclear weapon test explosions or any other nuclear explosions by the nuclear-weapon States pending the entry into force of the CTBT.

12. Step 3: The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The CD is urged to agree on a programme of work, which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

13. It is of great concern to Sweden that the Conference on Disarmament has not been able to agree on a programme of work since 1998 and, as a consequence, that negotiations on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear devices have not yet commenced. Sweden believes that it is of paramount importance that the members of the CD agree on a programme of work as soon as possible. Sweden has actively participated in conferences, workshops and seminars on the FMCT-issue, as well as on the issue of the prevention of an arms race in outer space (PAROS). Sweden supported the decision (59/81) on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, which was adopted by the fifty-ninth United Nations General

Assembly. Within the European Union and together with the other States in the New Agenda Coalition, Sweden calls for the declaration of and the upholding of existing moratoriums on the production of fissile material for military purposes pending the conclusion of a legally binding treaty.

14. Step 4: The necessity of establishing in the CD an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The CD is urged to agree on a programme of work, which includes the immediate establishment of such a body.

15. Sweden supports the establishment of a subsidiary body in the CD to deal with nuclear disarmament. Sweden has proposed that discussions on nuclear disarmament can take at its point of departure security policy doctrines and information exchange on current nuclear weapons capabilities and nuclear disarmament measures.

16. Step 5: The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures. Irreversibility is a fundamental principle for nuclear disarmament. Only irreversible reductions can assure that redeployment of nuclear weapons does not occur.

17. Sweden continues to stress that the principle of irreversibility should be applicable to all disarmament and arms control measures, unilateral, bilateral or multilateral.

18. Step 6: An unequivocal undertaking by the nuclear-weapon States to accomplish the total elimination of their nuclear arsenals leading to the nuclear disarmament, to which all States Parties are committed under article VI.

19. Sweden, unilaterally and together with the States in the New Agenda Coalition, continues to press for States to live up to their commitments regarding the total elimination of nuclear arsenals. The unequivocal undertaking that the nuclear-weapons States committed themselves to at the 2000 NPT Review Conference is yet to be fulfilled.

20. Step 7: The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the Treaty on the Limitation of Anti-Ballistic Missile Systems as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

21. Sweden notes the United States withdrawal from the ABM Treaty, the abrogation of START II, the withering away of START III, and the conclusion in 2002 of the Moscow Treaty on strategic offensive reductions. The Moscow Treaty is a development to be welcomed and an example of a concrete agreed measure to reduce the operational status of nuclear weapon systems as called for in the 13 steps. Sweden urges the Russian Federation and the United States to conduct further reductions in their strategic and non-strategic nuclear arsenals, to also address non-operational warheads, to make reductions irreversible, transparent and verifiable, and, for this latter purpose, to prolong the verification provisions of the START I Treaty beyond 2009.

22. Step 8: The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

23. Sweden supports the initiative. It should be applied in the context of disarmament undertakings.

24. Step 9: Steps by all nuclear-weapon States leading to nuclear disarmament in a way that promotes international stability and based on the principle of undiminished security for all; further efforts by the nuclear-weapon States to reduce their arsenals unilaterally; increased transparency by the nuclear-weapon States with regard to the nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament; the further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process; concrete agreed measures to further reduce the operational status of nuclear weapons systems; a diminishing role for nuclear weapons in security policies to minimize the risk that these weapons ever be used and to facilitate the process of their total elimination; the engagement as soon as appropriate of all the nuclear-weapon States in the process leading to the total elimination of their nuclear weapons.

25. Sweden fully supports these steps and continues to press for advancements in their implementation. In particular, Sweden continues to press for progress regarding reductions of non-strategic nuclear weapons. Sweden believes that it is essential that non-strategic nuclear weapons be included in international arms control and disarmament efforts. Non-strategic nuclear weapons are a global concern. Against this background, Sweden together with the other States in the New Agenda Coalition, have presented resolutions on the reduction of non-strategic nuclear weapons, which were adopted by the fifty-seventh and fifty-eighth United Nations General Assembly. At the second session of the Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Sweden together with Austria and Mexico, submitted a working paper on non-strategic nuclear weapons, and at the third session a second working paper on reduction of non-strategic nuclear weapons together with Austria and Ukraine. Sweden will continue to work on this issue at the NPT Review Conference.

26. Furthermore, steps to increase transparency regarding nuclear weapons capabilities and the implementation of agreements pursuant to article VI serve as a confidence-building measure and should be strongly supported. The principle of transparency should be applicable to all disarmament and arms control efforts, unilateral, bilateral or multilateral. It is also of particular importance that nuclear-weapon States diminish the role of nuclear weapons in their security policies, do not increase the number or types of nuclear weapons deployed, and do not develop new types of nuclear weapons or rationalizations for their use.

27. Step 10: arrangements by all nuclear-weapon States to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside military programmes.

28. Sweden urges those nuclear-weapons States that have not yet done so to conclude such arrangements.

29. Step 11: reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

30. Sweden takes an active part in the work on disarmament of nuclear, biological and chemical weapons, as well as conventional weapons. We refer here to the relevant treaties and instruments that deal with these types of weapons.

31. Step 12: regular reports, within the framework of the NPT strengthened review process for the Non-Proliferation Treaty by all States Parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the advisory opinion of the International Court of Justice of 8 July 1996.

32. Sweden believes that reports on the implementation of the article and paragraph mentioned above enhances transparency and accountability and builds confidence and therefore should be encouraged. Sweden submitted reports to the first, second and third sessions of the Preparatory Committee for the 2005 NPT Review Conference.

33. Step 13: the further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

34. Sweden continues to give strong support to the IAEA and a system of strengthened safeguards. The Additional Protocol to comprehensive safeguards agreements represents the new verification standard for NPT safeguards. Sweden therefore continues to urge all States to conclude and bring into force Additional Protocols. Such a Protocol entered into force for Sweden together with other European Union member States and Euratom on 30 April 2004. Sweden is of the view that the Review Conference should take the decision that the Additional Protocol together with a Comprehensive Safeguards Agreement represents the verification standard under article III of the NPT.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

20 May 2005

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Steps taken to promote the achievement of an effectively verifiable Middle East zone free from nuclear weapons as well as other weapons of mass destruction, and the realization of the goals and objectives of the 1995 resolution on the Middle East

Report submitted by Sweden

In the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in the section entitled "Article VII and the security of non-nuclear-weapon States", paragraph 16 on "Regional Issues", subparagraph 7, it is stated that:

"The Conference requests all States parties, particularly the nuclear-weapon States, the States of the Middle East and other interested States, to report through the United Nations Secretariat to the President of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference, on the steps that they have taken to promote the achievement of such a zone (i.e. a Middle East zone free from nuclear weapons as well as other weapons of mass destruction, *our remark*) and the realisation of the goals and objectives of the 1995 Resolution on the Middle East."

Sweden would hereby like to communicate the following information regarding the realisation of the goals and objectives of the Resolution.

1. Endorses aims and objectives of Middle East peace process and recognises that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction.

Sweden supports negotiations for a just, enduring and comprehensive peace settlement in the Middle East, based on Security Council resolutions 242 and 338, and the principles derived from successive agreements between the parties. Sweden is strongly committed to the need for a zone free from weapons of mass destruction in the Middle East. This goal could be promoted in several ways, for example, by making full use of the confidence-building measures that exist within the framework

of the EU Mediterranean co-operation (the Barcelona Process) and by establishing mechanisms for transparent and reliable verification in order to destroy the weapons of mass destruction in the region.

2. Calls on the remaining State not party to the Treaty to accede to it, thereby accepting an international legally binding commitment not to acquire nuclear weapons or nuclear explosive devices and to accept IAEA safeguards.

Sweden continues to emphasise the importance of universal accession and adherence to the NPT. We call upon Israel to sign and ratify the NPT and to place all its nuclear facilities under comprehensive IAEA safeguards.

3. Notes the continued existence in the Middle East of unsafeguarded facilities and urges those countries that operate unsafeguarded nuclear facilities to accept full-scope IAEA safeguards.

Sweden remains concerned with the existence of unsafeguarded nuclear facilities in the region. We urge all States in the Middle East that have not yet done so to conclude and bring into force comprehensive safeguards agreements and Additional Protocols with the IAEA.

4. Reaffirms importance of the early realisation of universal adherence to the NPT, and calls upon all States in the Middle East that have not yet done so, without exception, to accede to the NPT as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards.

See answer under paragraph 2 and 3.

5. Calls upon all States in the Middle East to take practical steps in appropriate fora to make progress towards, inter alia, the establishment of an effectively verifiable Middle East zone free of weapons of mass destruction, nuclear, chemical and biological, and their delivery systems, and to refrain from measures that preclude the achievement of this objective.

Sweden is strongly committed to the establishment of zones free of weapons of mass destruction, including nuclear weapons. Sweden supported resolution 59/63 entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East, which was adopted without a vote by the 59th United Nations General Assembly.

Sweden welcomes Libya's decision to end its nuclear weapons programme, and is of the view that Libya's decision could contribute to a process towards the establishment of a zone free from weapons of mass destruction in the Middle East. Sweden notes, however, that Libya has been in breach of its obligations under its safeguards agreement with the IAEA.

The signature of the Additional Protocol by Iran and its voluntary suspension of all enrichment- and reprocessing-related activities is a welcome step. However, a number of questions surrounding Irans's nuclear programme remain outstanding. Iran must continue to co-operate fully with the IAEA in order to resolve them. Sweden supports the efforts, through on-going negotiations, to achieve a long-term arrangement, which provides objective guarantees that Iran's nuclear programme is exclusively peaceful.

6. Call upon all States parties to the NPT, and in particular the nuclear-weapons States, to extend co-operation and support efforts towards the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems.

Sweden continues to support the establishment of regional nuclear weapon free zones.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

20 May 2005

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Implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament"

Report submitted by Italy

1. Italy considers the NPT as the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament in accordance with article VI. Italy is thus fully committed to the preservation of the integrity of the NPT, the strengthening of its implementation and to its universalization.

2. Italy acknowledges the importance of the improved and strengthened Review Process, supports the Final Document of the 2000 NPT Review Conference as well as the Decisions and Resolution adopted at the 1995 NPT Review and Extension Conference and recognizes that developments of serious concern have occurred in the field of nuclear proliferation and terrorism since the 2000 NPT Review Conference.

3. Italy remains deeply convinced that a multilateralist approach to security, including disarmament and non-proliferation, is the best way to maintain international order, peace and stability.

4. Since compliance with existing multilateral norms and rules is essential for their credibility and effectiveness, the possibility of concretely verifying compliance and detecting violations is of paramount importance. In this context, the importance of verification mechanisms and systems has to be acknowledged: best use has to be made of existing verification mechanisms and systems, and their improvement has to be sought; furthermore, the establishment of additional international verification instruments has to be pursued as feasible. Italy considers the IAEA Additional Protocols to be an integral part of the IAEA Safeguards System. Thus, consistently with the EU position, Italy considers that the IAEA Comprehensive Safeguards Agreements, together with the Additional Protocols, constitute the verification standard and calls for universal adherence to them. Italy has ratified the IAEA Additional Protocol, which entered into force on 30 April 2004.

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5. Italy is a member of all the export control regimes for nuclear and nuclear-related items and technology, such as the Nuclear Suppliers Group (NSG) and the Zangger Committee (ZC) and considers that they play an important role in pursuance of the NPT non-proliferation goals by introducing guidelines to ensure that exports of nuclear materials, equipment and technologies and related dual-use items are subject to appropriate surveillance and control.

6. Italy welcomes the adoption of United Nations Security Council resolution 1540 and supports the work of the Committee of the Security Council established pursuant to resolution 1540 in promoting global implementation of this resolution.

7. Furthermore, Italy actively participates in the "Proliferation Security Initiative" (PSI) since its launching in May 2003. PSI is aimed at helping prevention and interdiction of illegal procurement and trafficking activities in WMDs and related materials and technology.

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8. Italy shares the objectives enshrined in article VI of the NPT and encourages negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control. Disarmament is indeed one of the pillars of the NPT. We will continue, together with our EU partners, to look forward to further systematic and progressive efforts towards nuclear disarmament.

9. Italy appreciates and encourages efforts deployed by the two major nuclear-weapons States to reduce their respective strategic arsenals since the end of the cold war. In this context, Italy welcomes the ratification of the 2002 Moscow Treaty between the United States and the Russian Federation. It is an important step in the context of international security and a contribution to the efforts of the international community in the field of disarmament and non-proliferation.

10. Italy can assure its commitment to an early entry into force of the CTBT. Italy is one of the original signatories of the Treaty and through its ratification is committed to the fully operational functioning of the Provisional Technical Secretariat. Through the European Union, Italy is actively involved in promoting the entry into force of the Treaty, and the confirmation of the existing moratoriums. One of the Monitoring Stations of the International Monitoring System is located in Italy, as well as one of the Radionuclide Laboratories.

11. Italy believes that a consensus needs to be ,actively sought within the Conference on Disarmament on a programme of work. As a matter of priority it would certainly have a positive effect on the NPT Review Process, particularly through the negotiation of a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices (FMCT). The objective of an early commencement and prompt conclusion of such a negotiation remains a fundamental objective for Italy. For this reason Italy has spared no effort to encourage in the Conference on Disarmament an agreement on a balanced programme of work which would allow such negotiation to start as soon as possible. Negotiations should address the issue of verification. Italy calls on all States to declare and uphold a moratorium on the production of fissile material for nuclear

weapons or other nuclear explosive devices, and welcomes the action of those of the five nuclear-weapon States which have decreed the relevant moratorium.

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12. Within the United Nations framework, at the fifty-ninth session of the United Nations General Assembly, Italy sponsored or co-sponsored the following resolutions dealing with nuclear non-proliferation and disarmament:

- 59/60 Verification in all its aspects, including the role of the United Nations in the field of verification
- 59/76 A path to the total elimination of nuclear weapons
- 59/80 Measures to prevent terrorists from acquiring WMD
- 59/81 The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled "Cessation of the nuclear arms race and nuclear disarmament", an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices
- 59/108 Strengthening of security and cooperation in the Mediterranean region.

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13. Italy recognizes the importance, from the point of view of nuclear disarmament, of the programmes aiming at the destruction and elimination of nuclear weapons and the safe disposition of fissile materials within the framework of the Cooperative Threat Reduction programmes, such as the G-8 Global Partnership initiative. These programmes, in which Italy actively participates, are aimed at promoting WMDs destruction as well as the control and security of sensitive materials, related facilities and expertise and are additional tools to deal with disarmament and non-proliferation issues as well as to strengthen the fight against terrorists seeking to acquire WMDs.

14. As a matter of fact, the significant reductions of nuclear weapons through multilateral, bilateral and unilateral nuclear disarmament and arms limitation treaties and processes in the past decades have brought to the attention of the international community that disarmament engagements are meaningless unless the weapons involved are either physically destroyed or appropriately disposed of.

15. At a time in which nuclear proliferation is a growing threat to international peace and security and the risk that terrorists may seek to possess either fissile material or even nuclear weapons, the Cooperative Threat Reduction should be considered as a new, additional way to address the problem of nuclear proliferation and disarmament. Thus, Italy believes that the nuclear component of the Cooperative Threat Reduction initiative is relevant to the NPT process and strengthens the Treaty both under article VI and under article I. The deactivation of thousands of deployed nuclear warheads under this programme is an effective measure relating to cessation of the nuclear arms race and to nuclear disarmament not only under the NPT but also under the Principles and Objectives of 1995 and the 13 practical steps of the 2000 NPT Review Conference.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament"

Report submitted by Ireland

1. States parties agreed in the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons that there should be regular reports, within the framework of the NPT strengthened review process, by all States parties on the implementation of Article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament".

2. Ireland hereby submits its report to the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons.

3. Ireland participated actively in the third session of the Preparatory Committee, as Presidency of the European Union and as a member of the New Agenda Coalition.

4. In 2004, Ireland, together with NAC partners, co-sponsored General Assembly resolution 59/75 (Accelerating the implementation of nuclear disarmament commitments).

Implementation of the 13 practical steps for the systematic and progressive efforts to implement article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and paragraphs 3 and 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-proliferation and Disarmament" included in the Final Document adopted by consensus at the 2000 Review Conference:

Step 1

The importance and urgency of signatures and ratifications, without delay and without conditions and in accordance with constitutional processes, to achieve the early entry into force of the Comprehensive Test Ban Treaty.

5. Ireland ratified the CTBT in July 1999 and has advocated the urgent need for its entry into force without delay and without conditions. Ireland has worked in support of this within the European Union

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and the New Agenda Coalition. Ireland continues to see the CTBT as one of the fundamental building steps on the road to nuclear disarmament.

6. Ireland was a co-signatory of the Joint Ministerial Statement of Support for the CTBT, at the United Nations General Assembly in September 2004, in which, the co-signatories, inter alia, called upon all States to continue a moratorium on nuclear weapon test explosions or any other nuclear explosions and that voluntary adherence to such a moratorium is of the highest importance, but does not have the same permanent and legally binding effect as the entry Into force of the Treaty. We also reaffirmed our commitment to the Treaty's basic obligations and call on all States to refrain from acts which would defeat the object and purpose of the Treaty pending its entry into force.

Step 2

A moratorium on nuclear weapon test explosions or any other nuclear explosion pending entry into force of that Treaty.

7. Ireland, along with our EU partners, has urged all States to abide by a moratorium and to refrain from any actions that are contrary to the obligations and provisions of the CTBT. The New Agenda Coalition resolution 59/75 called for the early entry into force of the CTBT.

Step 3

The necessity of negotiations in the Conference on Disarmament on a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator in 1995 and the mandate contained therein, taking into consideration both nuclear disarmament and nuclear non-proliferation objectives. The Conference on Disarmament is urged to agree on a programme of work, which includes the immediate commencement of negotiations on such a treaty with a view to their conclusion within five years.

8. Ireland has been a member of the Conference of Disarmament since 1999 and has actively supported efforts to break the deadlock on the work programme. Ireland supports the efforts of the Five Ambassadors to build upon the initial Amorim proposal and the most recent efforts to resolve the deadlock. We maintain the view that the Conference should begin negotiations on a Treaty dealing with fissile material.

9. In his address to the NPT Review Conference on 2 May 2005, Ireland's Minister for Foreign Affairs, Mr. Dermot Ahern, expressed his disappointment that the Conference on Disarmament has not been able to fulfil the mandate given at the last Review Conference to agree on a programme of work, which would include negotiation on such a treaty.

Step 4

The necessity of establishing in the Conference on Disarmament an appropriate subsidiary body with a mandate to deal with nuclear disarmament. The Conference on Disarmament is urged to agree on a programme of work which includes the immediate establishment of such a body.

10. Ireland continues to favour the early establishment of a subsidiary body to deal specifically with the issue of nuclear disarmament. We also see merit in embarking on a process, which will eventually lead to an agreement on the non-weaponisation of outer space.

Step 5

The principle of irreversibility to apply to nuclear disarmament, nuclear and other related arms control and reduction measures.

11. The principle of irreversibility is a fundamental one that must be applied to all disarmament and arms control measures (regardless of whether they are unilateral, bilateral or multilateral). Ireland considers the application of this principle is the only guarantee against the possibility of redeployment.

Step 6

An unequivocal undertaking by the nuclear-weapon states to accomplish the total elimination of their nuclear arsenals leading to nuclear disarmament to which all States parties are committed under article VI.

12. Ireland as a member of the New Agenda Coalition continues to press for verifiable progress under this step. The fulfillment, by the nuclear weapon states, of this unequivocal undertaking is a basic necessity for the achievement of a nuclear weapon-free world.

13. As Ireland's Minister for Foreign Affairs, Mr. Dermot Ahern, noted in his statement to the NPT Review Conference on 2 May, the legally binding obligations to refrain from the development of nuclear weapons, which the vast majority of States Parties to this Treaty have honoured, were undertaken in the context of equally legally binding obligations by the Nuclear Weapons States to eliminate their nuclear weapons. He added that that is the underlying bargain in the Treaty and that it is doubtful whether the NPT could ever have been achieved without such agreement.

Step 7

The early entry into force and full implementation of START II and the conclusion of START III as soon as possible while preserving and strengthening the ABM Treaty as a cornerstone of strategic stability and as a basis for further reductions of strategic offensive weapons, in accordance with its provisions.

14. Developments since 2000 (the United States abrogation of the ABM and the demise of START III) have not removed the need for a basis for further reductions of strategic offensive weapons. Ireland welcomes the conclusion of the Moscow Treaty between the United States and the Russian Federation in 2002 as an important step in the right direction. We would, however, emphasise the importance of the principles of irreversibility and transparency to all arms control measures.

Step 8

The completion and implementation of the Trilateral Initiative between the United States of America, the Russian Federation and the International Atomic Energy Agency.

15. Ireland continues to support this initiative and would welcome regular updates on progress from the parties involved.

Step 9

Steps by all the nuclear-weapon states leading to nuclear disarmament in a way that promotes international stability, and based on the principle of undiminished security for all:

- ***Further efforts by the nuclear-weapon states to reduce their nuclear arsenals unilaterally.***
- ***Increased transparency by the nuclear-weapon states with regard to their nuclear weapons capabilities and the implementation of agreements pursuant to article VI and as a voluntary confidence-building measure to support further progress on nuclear disarmament.***
- ***The further reduction of non-strategic nuclear weapons, based on unilateral initiatives and as an integral part of the nuclear arms reduction and disarmament process.***
- ***Concrete agreed measures to further reduce the operational status of nuclear weapons systems.***
- ***A diminishing role for nuclear weapons in security policies to minimise the risk that these weapons ever be used and to facilitate the process of their total elimination.***
- ***The engagement as soon as appropriate of all the nuclear-weapon states in the process leading to the total elimination of their nuclear weapons.***

16. As a Non-Nuclear weapon State, Ireland can only press for progress on the implementation of these steps. We note in particular the importance of the principle of transparency contained in this step. Together with the principles of irreversibility and verification, transparency should apply to all disarmament and arms control efforts.

17. Work has been ongoing in particular in the area of reductions of non-strategic nuclear weapons. Ireland continues to support this initiative and reiterates the call made by the New Agenda Coalition in resolution 58/50 (Reduction of non-strategic nuclear weapons) at the session of the General Assembly in 2003.

18. As Ireland's Minister for Foreign Affairs, Mr Dermot Ahern, has commented some 15 years after the end of the cold war, we are concerned when it appears that nuclear weapons are still reaffirmed as central to strategic concepts for the foreseeable future. That concern is all the more heightened in light of reports of plans to develop new nuclear weapons or modify such weapons for new uses. Ireland believes that such plans do nothing to inspire confidence.

Step 10

Arrangements by all nuclear-weapon states to place, as soon as practicable, fissile material designated by each of them as no longer required for military purposes under IAEA or other relevant international verification and arrangements for the disposition of such material for peaceful purposes, to ensure that such material remains permanently outside of military programmes.

19. Ireland calls on nuclear weapon States, which have not yet done so, to make such arrangements.

Step 11

Reaffirmation that the ultimate objective of the efforts of States in the disarmament process is general and complete disarmament under effective international control.

20. Ireland works actively in a number of disarmament fora and is a State Party to, inter alia, the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention, the Biological and Toxin Weapons Convention, the Comprehensive Nuclear-Test-Ban Treaty, the Convention on Conventional Weapons, and Ottawa Convention. Ireland is also active in working within the European Union to strengthen the Union's policy on weapons of mass destruction.

21. Ireland also participates in a number of export control fora, namely the Australia Group, The Missile Technology Control Regime, Nuclear Suppliers Group, Wassenaar Arrangement and Zangger Committee. Ireland sees effective export control as complementary to multilateral disarmament, non-proliferation and arms control efforts.

22. It is crucially important that all members of the international community work together to root out the black market in nuclear materials and technology. All countries must spare no effort in tackling illicit trafficking and procurement networks, and in addressing the issue of non-State actor involvement in the proliferation of weapons of mass destruction technology. States should also ensure the fullest possible disclosure of all relevant information at their disposal to the International Atomic Energy Agency in order to assist its ongoing investigations.

Step 12

Regular reports, within the framework of the Treaty on the Non-Proliferation of Nuclear Weapons strengthened review process, by all States parties on the implementation of article VI and paragraph 4 (c) of the 1995 Decision on "Principles and Objectives for Nuclear Non-Proliferation and Disarmament", and recalling the Advisory Opinion of the International Court of Justice of 8 July 1996.

23. Ireland considers regular reporting to be a key element of the 13 steps and presented a report to the third Preparatory Committee in 2004. Ireland views reporting not as an end in itself but as an important tool in strengthening the NPT process, through greater transparency.

Step 13

The further development of the verification capabilities that will be required to provide assurance of compliance with nuclear disarmament agreements for the achievement and maintenance of a nuclear-weapon-free world.

24. Ireland believes that the vital role played by the IAEA safeguards system in the global non-proliferation regime must be acknowledged and reinforced during the 2005 NPT Review Conference. The 2000 Review Conference specifically endorsed the measures of the Model Additional Protocol approved by the International Atomic Energy Agency.

25. Ireland supports the IAEA in its verification tasks and strongly favours a system of strengthened IAEA Safeguards. Ireland together with all other EU Member States has completed its ratification procedures with respect to an Additional Protocol with the IAEA in April 2004. We believe that the Additional Protocol should be considered an essential part of an effective safeguards regime and that the Additional Protocol, together with the IAEA Safeguards Agreement, should be considered the verification standard for all NPT States Parties. We would urge all States, regardless of the size or nature of their nuclear programme, which have not yet signed and ratified an Additional Protocol to do so.

2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

26 May 2005

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New York, 2-27 May 2005

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Finland

1. Finland is strongly committed to the non-proliferation of nuclear weapons, to the pursuit of global nuclear disarmament and to general and complete disarmament under effective international control. Finland regards the Treaty and associated regime on the Non-Proliferation of Nuclear Weapons as the key element to prevent the spread of nuclear weapons.

2. Finland considers the **Comprehensive Nuclear-Test-Ban Treaty** (CTBT) essential to contain the proliferation of nuclear arms in all its aspects. Finland signed the Treaty on the first day it was opened for signature and completed the ratification process in 1999. A Primary Seismological Station and a radionuclide laboratory are located in the Finnish territory as part of the International Monitoring System.

3. Finland is fully committed to the obligations of the CTBT and makes every effort to promote its entry into force at the earliest possible date. Finland served as President of the Conference on Facilitating the Entry into Force of the CTBT that was convened by the Secretary-General of the United Nations on 3-5 September 2003 in Vienna. After the Conference, Finland was appointed coordinator to promote cooperation, through informal consultations with all interested countries, aimed at promoting further signatures and ratifications of the Treaty.

4. Finland also attaches great importance to assisting countries in their endeavours to build capacity that is needed to implement the obligations under the CTBT. For this purpose, we actively support the Provisional Secretariat in its training activities. Inter alia, representatives of signatory states have been trained in Finland to work as National Data Center operators.

5. Finland is a member of the **Conference on Disarmament** (CD) since 1996. Finland held the Presidency of the Conference in 2002 (March-May) and tried in that capacity to initiate the work of the CD by proposing (CD/1670) the establishment of an Ad Hoc Committee, Working Groups and the schedule of activities. Finland calls for the immediate commencement of negotiations on a Fissile Material Cut-off Treaty (FMCT), without preconditions.

6. The international **safeguards system of the International Atomic Energy Agency** (IAEA) is a fundamental pillar of the nuclear non-proliferation regime. Finland considers that the Comprehensive

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Safeguards Agreement, together with the Additional Protocol, represents the verification standard pursuant to Article III.1 of the Treaty. Finland calls upon all states that have not yet done so, to sign and ratify the Additional Protocol without delay.

7. Finland has concluded a Comprehensive Safeguards Agreement with the IAEA and has signed and ratified the Additional Protocol. The Additional Protocol entered into force for Finland on 30 April 2004 when the IAEA received written notification from the EU States and EURATOM that their respective requirements for entry into force had been met.

8. Finland is developing its national safeguards system further so as to enable effective implementation of IAEA strengthened safeguards in Finland. In addition, Finland continues to support the IAEA research and development programme for nuclear verification and materials security.

9. Finland continues to contribute to the strengthening of the non-proliferation regime by conducting well-established **safeguards support programmes** as part of Finland's bilateral assistance to third countries. The objective of the safeguards co-operation is to assist these countries in developing and maintaining national systems for accounting and control of nuclear materials and other radioactive materials, and for export controls and border controls. These support programmes are coordinated with the IAEA programmes for safeguards and security of material.

10. Finland is a member of all relevant **export control regimes**, such as the Nuclear Suppliers Group and the Zangger Committee, and supports strengthening of their guidelines and understandings respectively. Finland welcomes and supports UN Security Council Resolution 1540 (2004) and has submitted its national report under that resolution by the requested time.

11. Finland will do her utmost to achieve a substantial outcome in the **2005 Review Conference**. As a contribution to the preparations for the 2005 Review Conference, Finland organised a seminar with the WMD Commission (Blix Commission) in Helsinki on 7 April 2005, and another seminar in New York on 9 May 2005.

12. Finland **reaffirms her commitment to the Treaty on the Non-Proliferation of Nuclear Weapons** in all its aspects and the ultimate goal of eliminating all nuclear weapons. The universalisation of the Treaty and full compliance with the Treaty's provisions are of utmost importance.